

April 3, 2007

The Walton County Board of Commissioners held its regular monthly meeting on Tuesday, April 3, 2007 at 6:00 p.m. in the Board Room of the Walton County Government Building, 303 South Hammond Drive, Suite 330, Monroe, Ga. Those present included Chairman Kevin Little, Commissioners Clinton Ayers, Michael Turner, Vickie Gasaway, Lamar Palmer and Gerald Atha, County Clerk Leta Talbird, County Attorney Kirby Atkinson, Personnel Director Karen Fraser, Fire Chief Mike Moore and Planning Director Mike Martin. A list of citizens and other employees in attendance at this meeting is on file in the auxiliary file under this meeting date. Commissioner Robinson did not attend the meeting due to a prior commitment.

Chairman Little called the meeting to order at 6:01 p.m. and led those present in the Pledge of Allegiance. Commissioner Ayers opened the meeting in prayer.

Commissioner Turner made a motion to adopt the agenda with requested additions. Commissioner Atha seconded the motion. All voted in favor.

The Board considered a proposal from area realtors and builders regarding real estate weekend directional signs. Planning & Development Director Mike Martin stated that the Board of Realtors will hold a meeting on April 10, 2007 to discuss the issue and provide suggestions and proposed guidelines. Mr. Martin requested the Board table the matter and allow the Planning & Development Department to work with the realtors on a solution. Commissioner Palmer made a motion to table a decision on the matter. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use for a Church and Family Life Center on 2.9288 acres at Georgia Highway 81 North for Michael L. Britt – CU07010044. The effected property is identified on WC Tax Map C 37, Parcel 7. Chairman Little opened the public hearing on the matter. Michael Britt came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the Conditional Use with the following conditions: That along with a commercial drive way, a center left turn lane will be installed as permitted by GDOT, that all lighting will be directed inward to their parking lot and not outward and that there will be a buffer planted of Leyland Cypress or alike buffer trees to be perpetually maintained along the property lines that border with the other pieces of property. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Conditional Use and a variance on one setback from 300 ft. to 35 ft. for a telecommunications tower at 4038 Rosebud Road for Southeast Towers, c/o Lannie Green – CU07020001. The effected property is identified on WC Tax Map C 1, Parcel 39. Chairman Little opened the public hearing on the matter. Lannie Green came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve the Conditional Use and variance. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a Land Use Amendment from High Density Residential to Agriculture (medium density) and rezone from R-1 to A-2 on 1.75 acres for Dana and Alan Spector to allow horses – LU07010038 & Z07010039. The effected property is located at 1440 Old Monroe-Madison Highway and is further identified on WC Tax Map C 166, Parcel 185 B. Chairman Little opened the public hearing on the matter. Alan Spector came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the rezone. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1 to R-1 on 1.00 acre for one single-family residence for Larry & Elaine Rainey with a variance on lot width reduction – Z07010039. The effected property is located on Georgia Hwy. 81 and is further identified on WC Tax Map C 59, Parcel 13A. Chairman Little opened the public hearing on the matter. Larry Rainey came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion, seconded by Commissioner Turner, to approve the rezone with the variance. All voted in favor.

The Board considered a Planning Commission recommendation to approve a Land Use Amendment from High Density Residential to Medium Density Residential and rezone from R-1 to A-1 on 5.0 acres for Jonathan and Shelley Hight to have a barn with farm equipment and horses – LU07010053 & Z07010054. The effected property is located at 2730 Atkinson Road and is further identified on WC Tax Map C 49, Parcel 5F. Chairman Little opened the public hearing on the matter. Shelly Hight came before the Board in support of the rezone. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Turner made a motion to approve the Land Use Amendment and rezone. Commissioner

Gasaway seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a rezone from A-1/PDS to A-2 w/ OSC Overlay on 44.95 acres for a residential subdivision for Bradley Gin Road, LLC with variance to waive curb and gutter – Z0702002. The effected property is located on Seclusion Trail and is further identified on WC Tax Map N177A – Parcels 51, 52, 53, 54, 55, 56 and 57. Chairman Little opened the public hearing on the matter. Attorney Paul Rosenthal, representing the applicant, came before the Board in support of the rezone. Mr. Rosenthal referenced a letter dated April 3, 2007 preserving the applicant’s Constitutional rights that is on file in the Planning & Development Office. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the rezone with the variance waiving the curb and gutter. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a Planning Commission recommendation to approve a Land Use Amendment from High Density Residential to Commercial and rezone from A-1 to B-2 on 0.924 acres for a builder’s construction office for Marbin Construction Company – LU07020004 & Z07020005. The effected property is located on Oscar Barton Road and Sardis Church Road and is further identified on WC Tax Map C 75, Parcel 4. Chairman Little opened the public hearing on the matter. Mark Yarbrough of Marbin Construction Company came before the Board in support of the request. There was no one present in opposition. Chairman Little closed the public hearing on the matter. Commissioner Ayers made a motion to approve the Land Use Amendment and rezone. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to deny a rezone from R-1 to A-1 on 8.954 acres for Thomas and Judy Wissing in order to have horses – Z07010042. The effected property is located at 2288 McKayla Court and is further identified on WC Tax Map N54C, Parcel 10. Chairman Little opened the public hearing on the matter. Judy Wissing came before the Board in support of the rezone. She submitted a list of property owners in the subdivision who are not opposed to the rezone with the conditions that no more than 3 horses will be kept on the property, that there will be a one acre buffer between the road frontage of the property and that any horse related activity will be maintained. There was no one present in opposition to the rezone. Chairman Little closed the public hearing on the matter. Commissioner Gasaway made a motion to approve the rezone with the following stipulations: The one-acre buffer will remain at the front of the lot, that all property owners that live on the interior road sign off indicating their approval, that there will be a limit of three horses and that the applicant will obtain an easement through one of the A-1 or A-2 zoned adjacent

properties. Commissioner Turner seconded the motion. All voted in favor.

The Board considered a Planning Commission recommendation to deny a Land Use Amendment from High Density Residential to Commercial and rezone from MH (A-2) to B-2 on 2.54 acres for a construction office business park with variance for Jason Wall – LU07010047 & Z07010048. The effected property is located on U.S. Hwy. 278 and Hancock Drive and is further identified on WC Tax Map C 158, Parcel 36. Chairman Little opened the public hearing on the matter. Jason Wall came before the Board in support of the request. Mr. Wall presented letters from area residents who are not opposed to the rezone. William Perry, who resides at 2334 U.S. Hwy 278, came before the Board in opposition to the request. Mr. Perry stated that the area is designated high density residential. He stated that Hwy. 278 has been bombarded because of the Solo Cup plant and that trucks are running on Hwy. 278 seven days a week, twenty-four hours a day. Mr. Perry stated that his question is when is it going to stop. He cited several parcels in the area that have already been zoned commercial. Mr. Perry stated he just wants the area to remain quiet. He stated that if the Wall property is rezoned to commercial, it could mean a tax increase on his property. After further discussion, Chairman Little closed the public hearing on the matter. Commissioner Palmer made a motion to approve the Land Use Designation Change and rezone with a variance for the reduction of the transitional buffer from 50-ft. to 25- ft. with the following stipulations: That the Planning & Development Office look at the property to see where the driveway is best suited and that a buffer of Leyland Cypress or similar type tree will be planted between all residential zoning. Commissioner Ayers seconded the motion; voted and carried unanimously.

The Board considered an annexation request from the City of Walnut Grove – 238.19 acres located on Highway 138 (Dial property). Commissioner Gasaway made a motion to approve the annexation. Commissioner Turner seconded the motion. All voted in favor.

Commissioner Ayers made a motion to approve grading on Cross Lane Road and if the Public Works Department can get to it this paving season, to go forward with paving. Commissioner Turner seconded the motion. All voted in favor.

Fire Chief Mike Moore came before the Board regarding use of Impact Fees to purchase equipment. Chief Moore stated that he had contacted the company selling the truck he proposed to purchase and the company would not accept a letter of intent without a down payment. Chief Moore suggested holding off on the purchase until July 2007. Commissioner Atha made a motion to approve a budget amendment in an amount not to exceed \$50,000.00 for the repair of two engines. Commissioner Palmer seconded

the motion. All voted in favor.

Chris Edwards of Clifton, Lipford, Hardison & Parker, LLC. gave a status report on the Finance Department. Mr. Edwards presented a Consulting and Support Engagement Letter that would replace the agreement approved on March 29, 2007, adding management of the County's Finance Department. Commissioner Turner made a motion to approve the engagement letter. Commissioner Gasaway seconded the motion; voted and carried unanimously.

Commissioner Ayers made a motion to adopt a resolution to include volunteer law enforcement officers under the County's workers compensation program. Commissioner Turner seconded the motion. All voted in favor.

County Attorney Kirby Atkinson presented findings resulting from a request for compensation for former Tax Commissioner Mearon Queen. Commissioner Palmer made a motion to approve compensation in the amount of \$3,129.23 along with the necessary budget amendment from fund balance. Commissioner Atha seconded the motion; voted and carried unanimously.

The Board considered a change order on a contract with Southeastern Traffic Signals, Inc. in the amount of \$6,000.00/day for core drilling to set concrete traffic signal poles for the traffic signal located at Hwy. 78 & Mt. Vernon Road. Commissioner Palmer made a motion to approve the change order, not to exceed two days. Commissioner Turner seconded the motion. All voted in favor.

County Clerk Leta Talbird presented a proposed amendment to the T-Mobile Tower Lease Agreement. Commissioner Ayers made a motion to keep the current lease. Commissioner Atha seconded the motion; voted and carried unanimously.

Chuck Bagley spoke during the public comment segment of the meeting.

Commissioner Palmer made a motion, seconded by Commissioner Ayers, to appoint Tommy Richardson to the Walton County Water & Sewerage Authority representing Commission District 4, effective this meeting date. All voted in favor.

At 7:06 p.m., Commissioner Ayers made a motion, seconded by Commissioner Gasaway, to adjourn the meeting. All voted in favor.

All documents of record for this meeting are on file in the addendum book or auxiliary file under this meeting date.

KEVIN W. LITTLE, CHAIRMAN

LETA P. TALBIRD, CLERK

CLINTON AYERS, DISTRICT 1

MICHAEL TURNER, DISTRICT 2

VICKIE M. GASAWAY, DIST. 3

LAMAR PALMER, DISTRICT 4

GERALD ATHA, DISTRICT 5